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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

ORACLE USA, INC., *et al.*,
 Plaintiffs,
 v.
 SAP AG, *et al.*,
 Defendants.

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Case No. 07-CV-1658 PJH (EDL)

**STIPULATION AND [PROPOSED]
 ORDER REGARDING THE
 UNSEALING OF DOCKET ITEM 961**

Pursuant to Local Rule 7-12, Plaintiffs Oracle USA, Inc., Oracle International Corporation and Siebel Systems, Inc. and Defendants SAP AG, SAP America, Inc. and TomorrowNow, Inc. (collectively, the "Parties") jointly submit this Stipulation and [Proposed] Order regarding the unsealing of Docket Item 961, Additional Trial Stipulation and [Proposed] Order Regarding Claims For Damages and Attorneys Fees.

WHEREAS the Court ordered Docket Item 961 sealed on November 2, 2010, after discussion with the Parties at trial;

WHEREAS trial has now concluded and the jury has rendered its verdict; and,

WHEREAS the Parties request that Docket Item 961 therefore be unsealed as to all members of the public;

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE, through their respective counsel of record, as follows:

1. That Docket Item 961 may be unsealed as to all members of the public.

IT IS SO STIPULATED.

DATED: December 16, 2010

BINGHAM McCUTCHEN LLP

By: /s/ Geoffrey M. Howard

Geoffrey M. Howard
Attorneys for Plaintiffs
Oracle USA, Inc., Oracle International
Corporation and Siebel Systems, Inc.

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

DATED: December 16, 2010

JONES DAY

By: /s/ Tharan Gregory Lanier

Tharan Gregory Lanier
Attorneys for Defendants
SAP AG, SAP America, Inc., and
TomorrowNow, Inc.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 Dated: December 20, 2010

